UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,177	06/24/2003	Altti Pekka Henrik Vetelainen	857.0036.U1(US)	1496

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EXAMINER
ALLEN, WILLIAM J

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 January 2008*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7,9,13,14 and 16-19* is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7, 9, 13-14, and 16-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All   b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____.

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date _____ .

4)☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____ .

DETAILED ACTION

Prosecution History Summary

Claim 19 has been added.

Claims 8, 10-12, and 15 have been canceled.

Claims 1-7, 9, 13-14, and 16-19 are pending and rejected as set forth below.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 1/7/2008 has been entered.

Response to Arguments

Applicant's arguments have been considered but are moot in view of the new ground(s)

of rejection. Applicant's amendments necessitated the new grounds of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

1.   **Claims 1-7, 9, 13-14, 16-17, and 19 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over Bishop et al . (US 20040243520) in view of Martinez et al. (US

20030159071) in further view of Rollins et al. (US 2002/0083013).

Regarding claim 1, Bishop teaches a system and method for completing electronic

transactions utilizing a digital wallet interacting with merchant sites (see at least: abstract, 0015,

Fig. 2 and 5-8). More specifically, Bishop teaches *displaying at least one data entry field to a*

user during an electronic transaction (see at least: Fig. 8 (note #804), 0065). Bishop also teaches

displaying a user selectable icon in the system tray that provides, to the user, access to an

electronic wallet application, for the transfer of data into the data entry field, in response to user

selection of the icon (see at least: 0015, 0057, 0059, 0061, 0063, 0065, Fig. 5 (#502), Fig. 8).

Though Bishop teaches all of the above, Bishop does not expressly teach automatically

displaying the selectable icon *in response to user selection of the data entry field* nor does

Bishop teach *in response to the selection of the user selectable icon, calling a security routine*

which prompts the user for a password, and, upon completion of the routine, granting access to

an electronic wallet application for transfer of data into the data entry field.

In the same field of endeavor, Martinez teaches a convenient and secure system and method for access to and population of password protected web site forms (see at least: abstract). More specifically, upon the selection or "activation" of a field in the web form, Martinez displays a selectable web pop-up dialogue box (see at least: 0021-0023, 0053, Fig. 4-6). The wallet pop-up allows the user to enter to enter a master key value and obtain access to the wallet application, thereby allowing the user to add new user names and/or passwords to the wallet application so that the wallet application can automatically populate such fields in web forms (see at least: 0056-0059). The Examiner additionally notes that the wallet pop-up box acts analogously to the icon of Bishop as it provides the user access to the wallet application. Thereby, Martinez effectively teaches automatically displaying a selectable graphic *in response to user selection of the data entry field*.

It would have been obvious to one of ordinary skill in the art at the time of invention to have modified the invention of Bishop to have included automatically displaying the selectable icon *in response to user selection of the data entry field* as taught by Martinez in order to provide quick and easy access to any number of password-protected computer applications and web sites in a secure fashion without adding to the user cognitive load through an overlaid wallet pop-up field, the wallet pop-up field providing access to the wallet application (see at least: Martinez, 0021).

In addition, though Bishop teaches providing access to the wallet application upon selection of

the icon, Bishop does not teach in response to the selection of the user selectable icon, *calling a*

security routine which prompts the user for a password, and, upon completion of the routine,

granting access to an electronic wallet application for transfer of data into the data entry field.

The Examiner, however, asserts that this step would be readily apparent and within the ordinary

capabilities of one skilled in the art. For Example, Rollins teaches where a wallet login process

is initiated by a user selecting an object on a shopping results page associated with a desired

product or merchant, and further where the login process includes the use of a wallet server that

accesses stored information about a user (see at least: 0123). More important in Rollins, though,

is the transmission of a wallet login page to the client, the wallet login page including queries for

information, or validation data, that uniquely identifies the customer such as a login

identification and password (see at least: 0128). Thereby, the steps of providing a security

procedure before access is granted to the wallet application would have been obvious to one of

ordinary skill in the art because the incorporation of such features is no more than the

combination of known prior art elements according to their established function yielding

predictable results.

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Regarding claims 2-7, 9, and 13-14, Bishop in view of Martinez in view of Rollins teaches:

(2) *wherein the wallet application includes a secure collection of personal data* (see at least: Bishop, abstract, Fig, 1B, 0012, 0031; Martinez, abstract, 0021-0023).

(3) *wherein at least some of the personal data is used for completing an electronic commerce transaction* (see at least: Bishop, abstract, 0012-0013).

(4) *wherein the terminal is an Internet terminal* (see at least: Bishop, 0002, 0030, 0034).

(5) *wherein the terminal is a handheld mobile Internet terminal* (see at least: Bishop, 0030, 0097; Martinez, 0015,). Despite this teaching, the Examiner notes that it is not regarded as inventive to merely make an old device portable or movable without producing any new and unexpected result [See: I n re Lindberg, 93 USPQ 23 (CCPA)].

(6) *wherein the remote destination is an electronic commerce server* (see at least: Bishop, abstract, 0012-0013, 0060, Fig. 5-8).

(7) *wherein steps a), b), and c) are provided by a browser application* (see at least: Bishop, 0010, 0039, Fig. 5-8; Martinez, 0012, 0024, 0042, 0047).

(9) *further comprising the step of displaying the selectable device or icon in a position adjacent the data entry field.* The Examiner notes that claims that read on prior art except with regard to the positioning and arrangement of parts are held unpatentable if the shifting of those parts would not have modified the operation of the device [*In re Japikse*, 181 F.2d 1019, 86 USPQ 70 (CCPA 1950)].

(13) *automatically transferring data from the electronic wallet application into the data entry field, in response to the user selection of the option* (see at least: Bishop, abstract, 0015, Fig. 2 and 5-8; Martinez, abstract, 0053-0059).

(14) *providing for user selectable transfer of data from the electronic wallet application into the data entry field, in response to the user selection of the option* (see at least: Bishop, 0065).

Regarding claims 16, 17, and 19, these claims closely parallel claim1 and are thereby rejected for at least the same rationale.

2.   **Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bishop in**

view of Martinez in view Rollins and further in view of Atsmon (US 6607136).

         Regarding claim 18, Bishop teaches a system and method for completing electronic

transactions utilizing a digital wallet interacting with merchant sites (see at least: abstract, 0015,

Fig. 2 and 5-8). More specifically, Bishop teaches *displaying at least one data entry field to a*

user during an electronic transaction (see at least: Fig. 8 (note #804), 0065). Bishop also teaches

displaying a user selectable icon in the system tray that provides, to the user, access to an

electronic wallet application, for the transfer of data into the data entry field, in response to user

selection of the icon (see at least: 0015, 0057, 0059, 0061, 0063, 0065, Fig. 5 (#502), Fig. 8).

Though Bishop teaches all of the above, Bishop does not expressly teach automatically

displaying the selectable icon *in response to user selection of the data entry field* nor does

Bishop teach *in response to the selection of the user selectable icon, calling a security routine*

which prompts the user for a password, and, upon completion of the routine, granting access to

an electronic wallet application for transfer of data into the data entry field. Bishop also fails to

explicitly teach *automatically detecting whether a wallet application is enabled* and *displaying*

an icon, for user selection, if a wallet application is enabled, and not displaying the icon if the

wallet application is not enabled

In the same field of endeavor, Martinez teaches a convenient and secure system and method for access to and population of password protected web site forms (see at least: abstract). More specifically, upon the selection or "activation" of a field in the web form, Martinez displays a selectable web pop-up dialogue box (see at least: 0021-0023, 0053, Fig. 4-6). The wallet pop-up allows the user to enter to enter a master key value and obtain access to the wallet application, thereby allowing the user to add new user names and/or passwords to the wallet application so that the wallet application can automatically populate such fields in web forms (see at least: 0056-0059). The Examiner additionally notes that the wallet pop-up box acts analogously to the icon of Bishop as it provides the user access to the wallet application. Thereby, Martinez effectively teaches automatically displaying a selectable graphic *in response to user selection of the data entry field*.

It would have been obvious to one of ordinary skill in the art at the time of invention to have modified the invention of Bishop to have included automatically displaying the selectable icon *in response to user selection of the data entry field* as taught by Martinez in order to provide quick and easy access to any number of password-protected computer applications and web sites in a secure fashion without adding to the user cognitive load through an overlaid wallet pop-up field, the wallet pop-up field providing access to the wallet application (see at least: Martinez, 0021).

In addition, though Bishop teaches providing access to the wallet application upon selection of the icon, Bishop does not teach in response to the selection of the user selectable icon, *calling a security routine which prompts the user for a password, and, upon completion of the routine,*

granting access to an electronic wallet application for transfer of data into the data entry field. The Examiner, however, asserts that this step would be readily apparent and within the ordinary capabilities of one skilled in the art. For Example, Rollins teaches where a wallet login process is initiated by a user selecting an object on a shopping results page associated with a desired product or merchant, and further where the login process includes the use of a wallet server that accesses stored information about a user (see at least: 0123). More important in Rollins, though, is the transmission of a wallet login page to the client, the wallet login page including queries for information, or validation data, that uniquely identifies the customer such as a login identification and password (see at least: 0128). Thereby, the steps of providing a security procedure before access is granted to the wallet application would have been obvious to one of ordinary skill in the art because the incorporation of such features is no more than the combination of known prior art elements according to their established function yielding predictable results.

Lastly, though Bishop does indeed teach the enablement of a wallet application and the subsequent display of a system tray icon to allow easy access to the wallet for use in a browser (see at least: 0056-0057, 0059), Bishop lacks an explicit statement of *automatically detecting whether a wallet application is enabled* and *displaying an icon, for user selection, if a wallet application is enabled, and not displaying the icon if the wallet application is not enabled.* It is of important note, however, that one of ordinary skill in the art would recognize that important functionalities associated with the Windows Operating System exist specifically regarding icons appearing in the system tray. A user of such systems traditionally has the ability to enable/disable

various applications, and subsequently affect the appearance of associated system tray icons

when available. To reiterate, though these functionalities are typical of the Windows OS and are

implicitly implied by Bishop, there is merely no explicit statement of such functions.

In the same field of endeavor, Atsmon teaches the use of a smart e-wallet system for use in

electronic transactions (see at least: col. 46 lines 6-19, col. 66 lines 30-40, Fig. 29). More

specifically, Atsmon teaches the use of a system tray icon when the application is active. The

user of the e-wallet application can turn off or close the application, effectively causing the icon

to disappear (see at least col. 38 lines 7-9, col. 69 lines 1-13). In other words, when the user

opens or closes (i.e. enables or disables) the application, the CPU automatically detects that the

application has been enabled or is not enabled and displays (or does not display) the icon

accordingly. Thereby, Atsmon teaches *automatically detecting whether a wallet application is*

enabled and *displaying an icon, for user selection, if a wallet application is enabled, and not*

displaying the icon if the wallet application is not enabled.

It would have been obvious to one of ordinary skill in the art at the time of invention to have

modified the invention to have included *automatically detecting whether a wallet application is*

enabled and *displaying an icon, for user selection, if a wallet application is enabled, and not*

displaying the icon if the wallet application is not enabled as taught by Atsmon in order to

provide a system that simplifies the user experience while making online shopping faster and

more convenient (see at least: col. 46 lines 17-19, col. 66 lines 30-34).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US 6018724 discloses a Method and apparatus for authenticating on-line transaction data

- US 20020077978 discloses a Method and system for processing internet payments

Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLIAM J. ALLEN whose telephone number is (571)272-1443. The examiner can normally be reached on 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff A. Smith can be reached on (571) 272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/William J Allen/
Examiner, Art Unit 3625

/Matthew S Gart/
Primary Examiner, Art Unit 3625